



10-19-05

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PTO/SB/21 (09-04)

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|--|---|------------------------|--------------------|
| <b>TRANSMITTAL FORM</b><br><i>(to be used for all correspondence after initial filing)</i> |   | Application Number     | 08/937756          |
|  |   | Filing Date            | September 25, 1997 |
|  |   | First Named Inventor   | David C. Rueger    |
|  |   | Art Unit               | 1647               |
|  |   | Examiner Name          | S. Turner          |
| Total Number of Pages in This Submission   | 5 | Attorney Docket Number | JJJ-P06-504        |

| ENCLOSURES (Check all that apply)  |   |  |
|--|---|--|
| <input type="checkbox"/> Fee Transmittal Form<br><input type="checkbox"/> Fee Attached<br><input checked="" type="checkbox"/> Amendment/Reply<br><input checked="" type="checkbox"/> After Final<br><input type="checkbox"/> Affidavits/declaration(s)<br><input type="checkbox"/> Extension of Time Request<br><input type="checkbox"/> Express Abandonment Request<br><input type="checkbox"/> Information Disclosure Statement<br><input type="checkbox"/> Certified Copy of Priority Document(s)<br><input type="checkbox"/> Reply to Missing Parts/<br>Incomplete Application<br><input type="checkbox"/> Reply to Missing Parts under<br>37 CFR 1.52 or 1.53 | <input type="checkbox"/> Drawing(s)<br><input type="checkbox"/> Licensing-related Papers<br><input type="checkbox"/> Petition<br><input type="checkbox"/> Petition to Convert to a<br>Provisional Application<br><input type="checkbox"/> Power of Attorney, Revocation<br><input type="checkbox"/> Change of Correspondence Address<br><input type="checkbox"/> Terminal Disclaimer<br><input type="checkbox"/> Request for Refund<br><input type="checkbox"/> CD, Number of CD(s) _____<br><input type="checkbox"/> Landscape Table on CD | <input type="checkbox"/> After Allowance Communication<br>to TC<br><input type="checkbox"/> Appeal Communication to Board of<br>Appeals and Interferences<br><input type="checkbox"/> Appeal Communication to TC<br>(Appeal Notice, Brief, Reply Brief)<br><input type="checkbox"/> Proprietary Information<br><input type="checkbox"/> Status Letter<br><input checked="" type="checkbox"/> Other Enclosure(s) (please<br>Identify below):<br>Return Receipt Postcard |
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| SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT |                  |          |        |
|--|------------------|----------|--------|
| Firm Name                                  | ROPS & GRAY LLP  |          |        |
| Signature                                  |                  |          |        |
| Printed name                               | Erika Takeuchi   |          |        |
| Date                                       | October 17, 2005 | Reg. No. | 55,661 |

I hereby certify that this correspondence is being deposited with the U.S. Postal Service as Express Mail, Airbill No. EV 669631144 US, in an envelope addressed to: MS AF, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450, on the date shown below.

Dated: October 17, 2005 Signature: (Erika Takeuchi)



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Dated: October 17, 2005 Signature:   
(Erika Takeuchi)

Docket No.: JJJ-P06-504  
(PATENT)

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application of:  
Rueger et al.

Confirmation No.: 2132

Application No.: 08/937756

Art Unit: 1647

Filed: September 25, 1997

Examiner: S. Turner

For: MORPHOGEN-INDUCED NERVE  
REGENERATION AND REPAIR

Date: October 17, 2005

### **AMENDMENT AFTER FINAL ACTION (37 C.F.R. SECTION 1.116)**

MS AF  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Dear Sir:

#### **INTRODUCTORY COMMENTS**

Further to the May 15, 2005 Reply to February 17, 2005 Final Action, Applicants hereby submit a supplemental response with claim amendments for the above-referenced application. A Notice of Appeal was filed on August 16, 2005. The two-month statutory period to file an appeal brief ended on October 16, 2005. However, since October 16, 2005 was a Sunday, a paper filed on October 17, 2005, is considered timely under 37 C.F.R. 1.7. Accordingly, no extension fee is yet due. Applicants hereby further amend the claims of the above referenced application and submit remarks as follows:

**Amendments to the Claims** are reflected in the listing of claims which begins on page 2 of this paper.

**Remarks/Arguments** begin on page 4 of this paper.